

Remarks

The Rejection of Claims 1-8, 11-15, and 18 Under 35 U.S.C. §102(b)

The Examiner rejected Claims 1-8, 11-15, and 18 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 6,098,561 (Forthmann). The Examiner based the rejection on the assumption that Forthmann teaches producing a moment on a vessel by rotating a rudder member about first and second axes.

Claim 1 as amended recites operatively mounting a rudder member below a waterline of a vessel. Claim 4 as amended recites a rudder member mountable so as to be operable below a waterline of a vessel. Claims 11 and 18 as amended recite a rudder member rotatably fixed, below a waterline for a vessel.

Anticipation requires that all of the elements of the claim be taught within the four corners of a single reference. Forthmann does not teach the element of operatively mounting a rudder member below a waterline of a vessel. As shown in Figures 3 and 8 through 12 of the present invention, rudder members 20 and 22 are clearly positioned below the waterline of the respective vessels. However, as shown in Figure 1 of Forthmann, the majority of the self-steering system is positioned above the waterline of a subject vessel and operates above the waterline of the subject vessel. Essentially, only the rudder blades of the Forthmann system operate below the waterline. On the other hand, the positioning device, the disengageable drive connection, and portions of the servo-pendulum and auxiliary rudders are located and operate above the waterline.

Therefore, Forthmann does not teach all the elements of Claims 1, 4, 11, and 18 as amended. Since Forthmann does not anticipate all the elements of Claims 1, 4, 11, and 18 as amended, the Examiner is requested to withdraw the rejection to these claims. Claims 2 and 3, dependent from Claim 1, also benefit from the above-mentioned distinction. Claims 5-10, dependent from Claim 4, also benefit from the above-mentioned distinction. Claims 12-17, dependent from Claim 11, benefit from the above-mentioned distinction as well. Claim 19, dependent from Claim 18 also benefits from the above-mentioned distinction.

The Objection of Claims 9, 10, 16, 17, and 19 as Being Dependent Upon a Rejected Base Claim

Claims 9, 10, 16, 17, and 19 were objected to as being dependent upon a rejected base claim, but the Examiner indicated that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended Claims 4, 11, and 18, from which Claims 9 and 10, Claims 16 and 17, and Claim 19, respectively, depend, to overcome the anticipation rejection of Claims 4, 11, and 18 under Forthmann. Therefore, Applicants respectfully submit that Claims 9, 10, 16, 17, and 19 are no longer dependent upon a rejected base claim and the Examiner is requested to withdraw the objection to these claims..

Attorney Docket No. LKMP111US  
U.S. Patent Application No. 10/622,235  
Response to Office Action dated: February 26, 2004  
Date: May 12, 2004

Conclusion

Applicants respectfully submit that all pending claims are now in condition for allowance, which action is courteously requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'CPM' followed by a stylized flourish.

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Dated: May 12, 2004